

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. J. RES. 173

Proposing an amendment to the Constitution relating to the election of  
the President and Vice President of the United States.

---

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, FEBRUARY 22), 1994

Mr. EXON introduced the following joint resolution; which was read twice and  
referred to the Committee on the Judiciary

---

## JOINT RESOLUTION

Proposing an amendment to the Constitution relating to the  
election of the President and Vice President of the  
United States.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled*  
3       *(two-thirds concurring therein), That the following article*  
4       is proposed as an amendment to the Constitution of the  
5       United States, which shall be valid to all intents and pur-  
6       poses as part of the Constitution when ratified by the leg-  
7       islatures of three-fourths of the several States within seven  
8       years from the date of its submission by the Congress:

1 “ARTICLE —

2 “SECTION 1. The people of the several States and the  
3 District constituting the seat of government of the United  
4 States shall elect the President and Vice President. Each  
5 elector shall cast a single vote for two persons who shall  
6 have consented to the joining of their names as candidates  
7 for the offices of President and Vice President.

8 “SECTION 2. The electors of President and Vice  
9 President in each State shall have the qualifications req-  
10 uisite for electors of the most numerous branch of the  
11 State legislature, except that for the electors or President  
12 and Vice President, any State may prescribe by law less  
13 restrictive residence qualifications and for electors of  
14 President and Vice President the Congress may by law  
15 establish uniform resident qualification.

16 “SECTION 3. The persons joined as candidates for  
17 President and Vice President having the greatest number  
18 of votes shall be elected President and Vice President, if  
19 such number be at least 50 per centum of the whole num-  
20 ber of votes cast and such number be derived from a ma-  
21 jority of the number of votes cast in each State com-  
22 promising at least one-third of the several States. If, after  
23 any such election, none of the persons joined as candidates  
24 for President and Vice President is elected pursuant to  
25 the preceding sentence, a runoff election shall be held

1 within sixty days in which the choice of President and Vice  
2 President shall be made from the two pairs of persons  
3 joined as candidates for President and Vice President re-  
4 ceiving the greatest number of votes in such runoff elec-  
5 tion shall be elected President and Vice President.

6       “SECTION 4. The times, places, and manner of hold-  
7 ing such elections and entitlement to inclusion on the bal-  
8 lot shall be prescribed by law in each State; but the Con-  
9 gress may by law make or alter such regulations. The days  
10 for such elections shall be determined by Congress and  
11 shall be uniform throughout the United States. The Con-  
12 gress shall prescribe by law the times, places, and manner  
13 in which the results of such elections shall be ascertained  
14 and declared. No such election, other than a runoff elec-  
15 tion, shall be held later than the first Tuesday after the  
16 first Monday in November, and the results thereof shall  
17 be declared no later than thirty days after the day which  
18 the election occurs.

19       “SECTION 5. The Congress may by law provide for  
20 the case of the death, inability, or withdrawal of any can-  
21 didate for President and Vice President before a President  
22 and Vice President have been elected, and for the case  
23 of the death of either the President-elect or the Vice Presi-  
24 dent-elect.”

○